

ADMINISTRATIVE INTERNAL USE ONLY

9 July 1982

MEMORANDUM FOR: Executive Director

FROM: Stanley Sporkin  
General Counsel

SUBJECT: Weekly OGC Report for the DCI/DDCI

ITEMS OF MAJOR INTEREST - 3 - 9 JULY 1982

Black Panther Party (BPP) v. Smith, et al. This massive litigation has been proceeding for a number of years against the FBI, CIA, and numerous other parties. Last year, the U.S. Court of Appeals for the D.C. Circuit, in a lengthy and legally unsupportable opinion, reversed the District Court's dismissal of the case and remanded it to the District Court for further proceedings. The government, at the insistence of the CIA and the other defendants, petitioned for certiorari to the United States Supreme Court. In an eleventh hour maneuver, the BPP notified the Court that it intended to dismiss its own case claiming that "they had exhausted their available resources to finance this litigation."

OGC recently learned that the Supreme Court has vacated the judgment of the Court of Appeals and has instructed it to dismiss the case with prejudice. This represents a stunning victory for the government and the end of this complex litigation. [ ]

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Intelligence Personnel Protection Act. The Senate Judiciary Committee's attempt to poll out S. 2552, which would provide federal criminal penalties for violent attacks on intelligence personnel engaged in the performance of their official duties, aliens admitted to the United States for permanent residence pursuant to Section 7 of the CIA Act, and foreign nationals temporarily present in the United States under the auspices of a department or agency of the Intelligence Community, was unsuccessful due to an objection made by Senator Robert Byrd. Unanimous consent is required to poll a bill out of the Judiciary Committee. We do not believe that Senator Byrd had any substantive problem with this legislation, but he tends to oppose the polling out process on principle, and he could not be convinced that S. 2552 was so urgent as to overcome his objections to the polling process. The Bill will be on the agenda at the Committee's next scheduled meeting on 13 July, and we are working closely with Committee staff to expedite its favorable consideration. [ ]

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DCI WEEKLY REPORT

Bill Working, Senator Garn's SSCI staff representative, met with the OIG Wilson-Terpil team to discuss questions relating to the DDO's testimony on the Hill on this subject. Working appeared fully satisfied with the explanations he was given. He will return this coming week to review the 1977 IG materials relating to Wilson-Terpil, et al. These were seen earlier by other SSCI and HPSCI staffers.

[redacted] Chief, Audit Staff, accompanied the Acting Comptroller and the Director of Finance to a PFIAB briefing requested by Admiral Moorer. Joe Rodgers and Bob Six attended the whole session. Leo Cherne joined the meeting part way through. The Agency briefings consisted of an overview of the Agency's budget in historical perspective, the Agency's financial management structure and practices, and the Agency internal audit mechanisms. The questions were friendly and supportive, the nature of the session informal. Panel members appeared to be interested primarily in finding ways in which they could be helpful; the issue of recruitment of professional analysts came up in discussion and appeared to be of particular interest. No requirements for follow-on briefings or other actions were stated.

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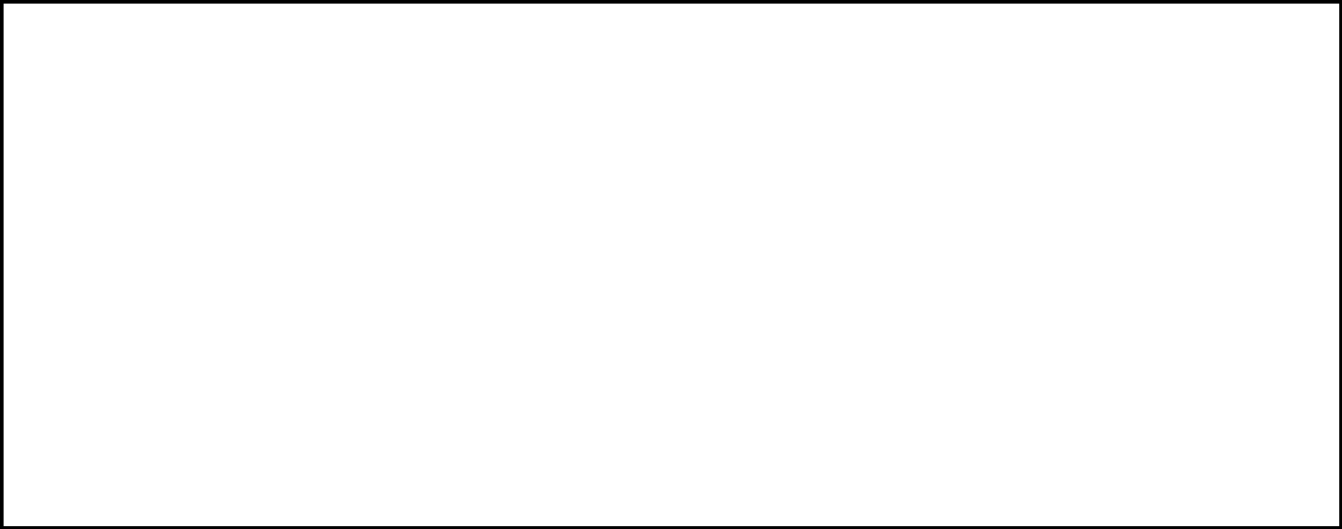
The six-inspector team, which is examining the DO's Africa Division, has completed its inspection of AF's headquarters components and its review of the division's relations with the Department of State. The team departed after the fourth of July holiday to inspect Africa's stations and bases. The inspection has gone well so far, and no major problems other than a shortage of experienced mid-level personnel--an almost universal problem in the DO divisions these days--has emerged.

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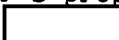
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COMPTROLLER CHECKLIST



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- 1984 Program. We have distributed to the Executive Director and the Deputies the Comptroller's proposed ranking of the 1984 program with an accompanying analysis. 

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